

National Environmental Performance Track Program Revision of EMS Entry Criterion: Independent Assessment Policy

Summary of Policy. To ensure the quality of environmental management systems (EMSs) at Performance Track member facilities, EPA is revising the EMS entry criterion for applying facilities. Prior to applying to the Program, facilities must have had an assessment of their EMS conducted by an independent party. For purposes of this revised criterion, an independent party is one that is neither directly employed by the applying facility nor has played a substantive role in developing the facility's EMS. The independent assessment shall be conducted using a protocol that covers all of the Performance Track EMS elements, as set out in the Program Description or a protocol that is consistent with the EMS provisions of the Performance Track Site Visit protocol. Both the Performance Track Program Description and the Site Visit Protocol can be found on the EPA website at www.epa.gov/performance-track.

Effective Date. This policy will become effective for facilities applying to the program for consideration during the application period beginning February 1, 2004. The facility must have had the assessment conducted within the three-year period prior to the date of application. The facility will be asked to certify on their Performance Track application the date of their independent EMS assessment and that the independent assessment meets the criteria of this policy.

Applicability to Current Performance Track Members. The revised EMS criterion will not apply to facilities currently in Performance Track that have not had an independent assessment. Instead, EPA/States will conduct site visits at each of these facilities during 2003 and early 2004 to determine the adequacy of their EMSs and will address EMS issues prior to Performance Track Program renewal. Regional Performance Track Coordinators will contact these member facilities to arrange site visits.

Options for an Independent Party Assessment. Facilities applying to Performance Track can select from a number of options for an independent assessment of their EMS. Applying facilities should consult with their EPA Regional Performance Track Coordinator before choosing the independent party conducting their assessment. An applying facility may choose from the following options:

- (1) An EMS assessment conducted in conjunction with participation in an EPA or State EMS/performance-based program and led by an individual meeting the qualifications of a Performance Track Site Visit Leader (see attached);
- (2) An assessment conducted by one of the following so long as the lead auditor is not directly employed by the facility and did not play a substantive role in developing the EMS for the facility:
 - a. an individual certified as an EMS lead auditor by the Registrar Accreditation Board (RAB) or the Board of Environmental, Health & Safety Auditor Certifications (BEAC);
 - b. an individual who has demonstrated that they meet the qualifications of a Performance Track Site Visit Leader, except those qualifications related to i) the Performance Track site visit training course, ii) having conducted a minimum of two Performance Track site visits, and iii) current employment;
 - c. a corporate audit team whose audit team leader meets the requirements of (2)(a) or (b) above;
 - d. a trade association performance-based EMS audit program whose audit team leader meets the requirements of (2)(a) or (b) above; or
 - e. mentors that participate in the Performance Track mentoring program and who meet the requirements of (2)(a) or (b) above.
- (3) An assessment of a Federal facility EMS conducted according to the *Environmental Management Systems Agency Self-Declaration Protocol for Appropriate Federal Facilities* that incorporates the Performance Track EMS elements and results in a valid self-declaration.
- (4) An assessment conducted by other entities will be considered on a case-by-case basis in consultation with EPA/states. EPA may conduct EMS assessments on a limited basis for facilities that do not otherwise have the opportunity to select from one of the preceding options.

Options for Independent Assessment Protocol. Facilities may choose either to use: a) their own protocol; b) the EMS provisions of the most recent version of the Performance Track Site Visit Protocol; or c) a state protocol that is consistent with the Performance Track Site Visit Protocol. If the facility chooses to use its own protocol, it must address all of the Performance Track EMS elements as set out in the Performance Track Program Description, which can be found at www.epa.gov/performance-track. If possible, facilities should consult with EPA/State in advance to discuss the acceptability of their protocol

Qualifications for Performance Track Site Visit Leaders

Individuals wishing to serve as a Site Visit Leader for a Performance Track site visit must meet the qualifications listed below.

Background Requirements for Performance Track Site Visit Leaders	
Education	High school diploma
Training	40-hour ANSI-RAB NAP Accredited ISO 14001 (EMS) Lead Auditor Training; course examination must have been passed; Performance Track Site Visit Training [to be developed by EPA in 2004]
Work and Audit Experience	Work experience ¹ : in environmental management, environmental science and technology, environmental regulation, or related field as follows: <ul style="list-style-type: none">▶ 5 years experience for Leads with high school degree▶ 4 years experience for Leads with college degree Audit experience: 20 work-day equivalents of environmental auditing, ² which includes a minimum of four EMS audits ³ Participation in at least two Performance Track site visits as part of a site visit team. These two audits can be part of the minimum four EMS audits required above.
Current Employment	To qualify as a Site Visit Leader, the individual must currently work at EPA or a state environmental agency or be a duly authorized agent of EPA or the State.

¹Years of work and audit experience are the same as those required for ISO 14001 auditors.

²Audit experience can include regulatory, compliance assistance, pollution prevention, or EMS audits.

³EMS audit experience can include ISO audits, EPA Performance Track audits, or State EMS-program audits.